UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,516	05/24/2001	Nikhil M. Deshpande	P 279166 P11161	9874

				EXAMINER
27496	7590	12/21/2004		HA, LEYNNA A

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ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-30_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-30_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413)
                                                       Paper No(s)/Mail Date. _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   6) ☐ Other: _____ .
     Paper No(s)/Mail Date _____ .

DETAILED ACTION

1. **Claims 1-30 have been examined.**

2. **Claims 1-3,5-8, 10-17, 19-24, 26-27, and 29-30 are rejected under**

35 U.S.C. 102(e).

3. **Claims 4, 9, 18, 25, and 28 are rejected under 35 U.S.C. 103(a).**

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-3,5-8, 10-17, 19-24, 26-27, and 29-30 are rejected under**

35 U.S.C. 102(e) as being anticipated by Rautila (US 6,714,797).

As p r laim 1:

Rautila discloses a method of providing location-based services to a wireless

device using a hotspot access point, comprising:

establishing a connection between the wireless device and the hotspot

access point; and **[COL.4, lines 45-50 and COL.5, lines 3-6]**

providing information associated with the physical location of the hotspot

access point to the wireless device. **[COL.5, lines 20-21 and COL.8, lines 27-**

31]

As per claim 2:

Rautila discusses a method of claim 1, further comprising:

identifying the hotspot access point with which the wireless device is

connected; and **[COL.6, lines 47-49 and COL.8, lines 27-31]**

determining information associated with the physical location of the

access point using the identification of the hotspot access point in a look-up

database. **[COL.6, lines 32-34 and COL.8, lines 60-61]**

As per claim 3:

See COL.6, lines 33-38 and 47-53 and COL.8, lines 27-34; discusses providing

security for the location-based services according to a mode of security, the

mode having associated therewith routing identification information.

As per claim 5:

See COL.4, lines 15-40; discussing the access point is a wireless LAN access

point device.

As p r claim 6:

Rautila discusses method of claim 1, further comprising:

making a hand-off of the wireless device to an other hotspot access point;
[COL.4, lines 45-63]

narrowing the information provided to the wireless device with respect to
the physical location of the hotspot access point based upon the direction of
travel of the wireless device; and **[COL.6, line 28-36]**

providing the narrowed information associated with the physical location
of the other hotspot access point to the wireless device. **[COL.8, lines 27-48]**

As per claim 7:

See COL.5, lines 28-32; discusses providing synchronization of the wireless
device to any one of an e-mail, calendar, task list or contact application
associated with the user/device identification information.

As per claim 8:

Rautila discloses method of securing services provided through a hotspot
access point, comprising:

establishing a connection between a wireless device and the hotspot
access point; **[COL.4, lines 45-50 and COL.5, lines 3-6]**

determining user/device identification information associated with the
wireless device; **[COL.5, lines 10-21]**

identifying a mode of security for the services using the user/device

identification information, the mode having associated therewith routing

identification information; and **[COL.6, lines 33-38 and 47-53]**

providing the services according to the mode of security using the routing

identification information through the hotspot access point to the wireless

device.   **[COL.7, lines 23-35 and COL.8, lines 27-34]**

As per claim 10:

See COL.4, lines 40; discusses the mode comprises any one of a private, public

or personal mode.

As per claim 11:

Rautila discloses method of billing services provided through a hotspot access

point, comprising:

establishing a connection between a wireless device and the hotspot

access point; **[COL.4, lines 45-50 and COL.5, lines 3-6]**

determining user/device identification information associated with the

wireless device; and **[COL.5, lines 20-21 and COL.8, lines 27-31]**

billing usage of the services through the access point by the wireless

device according to a mode of billing identified by the user/device identification

information. **[COL.6, lines 9-13]**

As per claim 12:

See COL.5, lines 28-32 and COL.6, lines 9-13; discusses the mode comprises

any one of a business, public or personal mode, wherein the private mode

comprises billing a business entity other than an actual user of the wireless

device or a service provider associated with the wireless device or the actual

user of the wireless device, the public mode comprises billing the actual user of

the wireless device, and the personal mode comprises billing the service

provider associated with the wireless device.

As per claim 13:

Rautila discloses method of providing access to an application through a

hotspot access point, comprising:

       establishing a connection between a wireless device and the hotspot

access point; **[COL.4, lines 45-50 and COL.5, lines 3-6]**

       determining user/device identification information associated with the

wireless device; and **[COL.5, lines 20-21 and COL.8, lines 27-31]**

       synchronizing the wireless device to any one of an e-mail, calendar, task

list or contact application associated with the user/device identification

information. **[COL.5, lines 28-32]**

As per claim 14:

See COL.6, lines 33-38 and 47-53 and COL.8, lines 27-34; discusses providing

information associated with the physical location of the hotspot access point to

the wireless device.

As p r claim 15:

Rautila discloses system of providing location-based services to a wireless

device using a hotspot access point, comprising:

the hotspot access point to establish a connection between the wireless

device and a hotspot access point network; and **[COL.4, lines 45-50 and**

COL.5, lines 3-6]

location-based services server to provide information associated with the

physical location of the hotspot access point to the wireless device. **[COL.5,**

lines 20-21 and COL.8, lines 27-31]

As per claim 16:

Rautila discusses the location-based services server further identifies the

hotspot access point with which the wireless device is connected **[COL.6, lines**

47-49 and COL.8, lines 27-31] and determines information associated with

the physical location of the access point using the identification of the hotspot

access point in a look-up database. **[COL.6, lines 32-34 and COL.8, lines 60-**

61] As per claim 17:

See COL.6, lines 33-38 and 47-53 and COL.8, lines 27-34; discusses an

authorization server to provide security for the location-based services

according to a mode of security, the mode having associated therewith routing

identification information.

As p r claim 19:

See COL.4, lines 15-40; discussing the access point is a wireless LAN access

point device.

As per claim 20:

Rautila discusses the system of claim 15, wherein the location-based services

server:

makes a hand-off of the wireless device to an other hotspot access point;

[COL.4, lines 45-63]

narrows the information provided to the wireless device with respect to

the physical location of the hotspot access point based upon the direction of

travel of the wireless device; and **[COL.6, line 28-36]**

provides the narrowed information associated with the physical location

of the other hotspot access point to the wireless device. **[COL.8, lines 27-48]**

As per claim 21:

See COL.5, lines 28-32; discusses an exchange server to provide

synchronization of the wireless device to any one of an e-mail, calendar, task

list or contact application associated with the user/device identification

information.

As per claim 22:

Rautila discloses computer program product including computer program code

to cause a computer to perform a method of providing location-based services

to a wireless device using a hotspot access point, the method comprising:

establishing a connection between the wireless device and the hotspot

access point; and **[COL.4, lines 45-50 and COL.5, lines 3-6]**

providing information associated with the physical location of the hotspot

access point to the wireless device. **[COL.7, lines 23-35 and COL.8, lines 27-**

34]

As per claim 23:

Rautila discusses computer program product of claim 22, the method further

comprising:

identifying the hotspot access point with which the wireless device is

connected; and **[COL.6, lines 47-49 and COL.8, lines 27-31]**

determining information associated with the physical location of the

access point using the identification of the hotspot access point in a look-up

database. **[COL.6, lines 32-34 and COL.8, lines 60-61]**

As per claim 24:

See COL.6, lines 33-38 and 47-53 and COL.8, lines 27-34; discusses providing

security for the location-based services according to a mode of security, the

mode having associated therewith routing identification information.

As per claim 26:

Rautila discusses the computer program product claim 22, the method further

comprising:

making a hand-off of the wireless device to an other hotspot access point;

[COL.4, lin s 45-63]

narrowing the information provided to the wireless device with respect to

the physical location of the hotspot access point based upon the direction of

travel of the wireless device; and **[COL.6, line 28-36]**

providing the narrowed information associated with the physical location

of the other hotspot access point to the wireless device. **[COL.5, lines 20-21**

and COL.8, lines 27-48]

As per claim 27:

Rautila discloses computer program product including computer program code

to cause a computer to perform a method of securing services provided through

a hotspot access point, the method comprising:

establishing a connection between a wireless device and the hotspot

access point; **[COL.4, lines 45-50 and COL.5, lines 3-6]**

determining user/device identification information associated with the

wireless device; **[COL.5, lines 10-21]**

identifying a mode of security for the services using the user/device

identification information, the mode having associated therewith routing

identification information; and **[COL.6, lines 33-38 and 47-53]**

providing the services according to the mode of security using the routing

identification information through the hotspot access point to the wireless

device. **[COL.7, lines 23-35 and COL.8, lines 27-34]**

As per claim 29:

Rautila discloses computer program product including computer program code

to cause a computer to perform a method of billing services provided through a

hotspot access point, the method comprising:

establishing a connection between a wireless device and the hotspot

access point; **[COL.4, lines 45-50 and COL.5, lines 3-6]**

determining user/device identification information associated with the

wireless device; and **[COL.5, lines 20-21 and COL.8, lines 27-31]**

billing usage of the services through the access point by the wireless

device according to a mode of billing identified by the user/device identification

information. **[COL.6, lines 9-13]**

As per claim 30:

See COL.5, lines 28-32 and COL.6, lines 9-13; discusses computer program

product of claim 29, wherein the mode comprises any one of a business, public

or personal mode, wherein the private mode comprises billing a business entity

other than an actual user of the wireless device or a service provider associated

with the wireless device or the actual user of the wireless device, the public

mode comprises billing the actual user of the wireless device, and the personal

mode comprises billing the service provider associated with the wireless device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived by
> the manner in which the invention was made.

5.   Claims 4, 9, 18, 25, and 28, are rejected under 35 U.S.C. 103(a) as

being unpatentable over Rautila (US 6,714,797), and further in view of

Microsoft Computer Dictionary, 5th Edition.

As per claim 4:

Rautila discloses a method of providing location-based services to a

wireless device using a hotspot access point, comprising establishing a

connection between the wireless device and the hotspot access point **[COL.4,**

lines 45-50 and COL.5, lines 3-6] and providing information associated with

the physical location of the hotspot access point to the wireless device **[COL.5,**

lines 20-21 and COL.8, lines 27-31]. However, Rautila fails to include the

routing identification information is an IP address.

According to the Microsoft Computer Dictionary, IP address identifies a host

(computer). It would have been obvious to combine the teaching of the IP

address of the Microsoft Dictionary with Raulita as a routing identification

because the address uniquely identifies a computer connected to the Internet

to other Internet hosts **[pg.287]**

As per claim 9:

Rautila discloses a method of providing location-based services to a

wireless device using a hotspot access point, comprising establishing a

connection between the wireless device and the hotspot access point **[COL.4,**

lines 45-50 and COL.5, lines 3-6] and providing information associated with

the physical location of the hotspot access point to the wireless device **[COL.5,**

lines 20-21 and COL.8, lines 27-31]. However, Rautila fails to include the

routing identification information is an IP address.

According to the Microsoft Computer Dictionary, IP address identifies a

host (computer). It would have been obvious to combine the teaching of the IP

address of the Microsoft Dictionary with Rautila as a routing identification

because the address uniquely identifies a computer connected to the Internet

to other Internet hosts **[pg.287]**

As per claim 18:

Rautila discloses a method of providing location-based services to a

wireless device using a hotspot access point, comprising establishing a

connection between the wireless device and the hotspot access point **[COL.4,**

lines 45-50 and COL.5, lines 3-6] and providing information associated with

the physical location of the hotspot access point to the wireless device **[COL.5,**

lin s 20-21 and COL.8, lines 27-31]. However, Rautila fails to include the

routing identification information is an IP address.

According to the Microsoft Computer Dictionary, IP address identifies a

host (computer). It would have been obvious to combine the teaching of the IP

address of the Microsoft Dictionary with Raulita as a routing identification

because the address uniquely identifies a computer connected to the Internet

to other Internet hosts **[pg.287]**

As per claim 25:

Rautila discloses a method of providing location-based services to a

wireless device using a hotspot access point, comprising establishing a

connection between the wireless device and the hotspot access point **[COL.4,**

lines 45-50 and COL.5, lines 3-6] and providing information associated with

the physical location of the hotspot access point to the wireless device **[COL.5,**

lines 20-21 and COL.8, lines 27-31]. However, Rautila fails to include the

routing identification information is an IP address.

According to the Microsoft Computer Dictionary, IP address identifies a

host (computer). It would have been obvious to combine the teaching of the IP

address of the Microsoft Dictionary with Raulita as a routing identification

because the address uniquely identifies a computer connected to the Internet

to other Internet hosts **[pg.287]**

As p r claim 28:

Rautila discloses a method of providing location-based services to a wireless device using a hotspot access point, comprising establishing a connection between the wireless device and the hotspot access point **[COL.4, lines 45-50 and COL.5, lines 3-6]** and providing information associated with the physical location of the hotspot access point to the wireless device **[COL.5, lines 20-21 and COL.8, lines 27-31]**. However, Rautila fails to include the routing identification information is an IP address.

According to the Microsoft Computer Dictionary, IP address identifies a host (computer). It would have been obvious to combine the teaching of the IP address of the Microsoft Dictionary with Raulita as a routing identification because the address uniquely identifies a computer connected to the Internet to other Internet hosts **[pg.287]**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (571) 272-3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax

phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LHa